


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
05 SEP 14 PM 2:45

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TENNESSEE

FRED ASKEW,

Petitioner,

v.

No. 04-2514-Ma

UNITED STATES OF AMERICA,

Respondent.

JUDGMENT

Decision by Court. This action came for consideration before the Court. The issues have been duly considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that this action is dismissed in accordance with the Order Denying Motion Pursuant to 28 U.S.C. § 2255, docketed July 26, 2005. The issuance of a certificate of appealability under amended 28 U.S.C. § 2253 is denied. Any appeal in this matter by Petitioner, proceeding in forma pauperis, is not taken in good faith.

APPROVED:



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE

September 12, 2005

DATE

THOMAS M. GOULD

CLERK


(By) DEPUTY CLERK



Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:04-CV-02514 was distributed by fax, mail, or direct printing on September 16, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT